

# **FISCAL NOTE**

## **SB 2966 - HB 2848**

March 6, 2004

**SUMMARY OF BILL:** Enacts the Protective Parent Reform Act and includes the following provisions regarding child custody and visitation:

- Prohibits ex parte contacts with the judge in child custody and visitation cases, including contact between judges and guardians ad litem, minor's counsel, custody evaluators, mental health professionals, mediators, and other such persons traditionally participating in child custody and visitation cases;
- Provides that the roles of the guardian ad litem and child's attorney be limited to advocating for the wishes of the child and participating in the court proceedings.
- Prohibits guardian ad litem and child's attorney from substituting their own opinions and judgments for the wishes of the child or submitting evidence that would be excluded under applicable rules of evidence if submitted by any other party;
- Permits parents to access custody and mental evaluations and be afforded the right to depose and cross-examine such evaluators;
- Provides that no parent who acts lawfully in response to a belief that their child is a victim of abuse shall be deprived of contact, visitation, or restricted custody of the child.

### **ESTIMATED FISCAL IMPACT:**

#### **Increase State Expenditures - Not Significant**

Estimate assumes provisions of the bill may result in an increase in state expenditures for additional trial court hearings regarding custody and visitation. Such increase is not estimated to be significant.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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